

## STATE OF VERMONT

## HUMAN SERVICES BOARD

In re ) Fair Hearing No. 13,419

)

Appeal of )

)

INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare limiting him to \$2.00 a week in general assistance (GA) for his personal needs. The issue is whether the Department's decision is in accord with the pertinent regulations.

FINDINGS OF FACT

The facts are not in dispute. The petitioner resides in a group home operated by a community mental health services organization. The Department provides the petitioner with \$60.00 a week in general assistance for his room and board at this facility. Prior to February, 1995, the Department was under the impression that the petitioner's meals at the facility were not included, and it provided the petitioner with an additional \$10.50 a week in GA for "groceries and personal needs". When the Department learned that the petitioner's meals were furnished by the group home it reduced this aspect of his GA to \$2.00 a week for just his "personal needs and incidentals" (PNI).

The petitioner's appeal is based solely on his understandable claim that \$2.00 a week is insufficient to meet his needs.

ORDER

The Department's decision is affirmed.

REASONS

Under the GA regulations the petitioner receives the maximum (\$60.00 a week) for "room and board". W.A.M. § 2614. Under that regulation an individual who receives room and board is also eligible for a maximum of \$2.00 a week for PNI. No further benefits are payable to the petitioner under the GA regulations. <sup>(1)</sup>

Inasmuch as the Department's decision in this matter is in accord with the regulations the Board is bound by law to affirm it. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 19.

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1. At the hearing the hearing officer advised the petitioner of his rights of appeal under the Vocational Rehabilitation and SSI programs, both of which the petitioner says he has applied for.